

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50151 of 2019**

Arising Out of PS. Case No.-56 Year-2019 Thana- PATAHI District- East Champaran

BHUTTA CHAUDHARY Son of Late Jaga Choudhary Resident of Village-  
Bokane Kalan, P.S.- Patahi, District- East champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shashi Shekhar Tiwary  
For the Opposite Party/s : Mr.Ramesh Chandra

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      13-08-2019                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Patahi Police Station Case No. 56 of 2019, disclosing offences under Sections 30(a)/37(d)/38 of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police raided the house of the petitioner and others and recovered 40 litres of toddy beer from the room of the petitioner, kept in jerrycan.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and has got no criminal antecedent. He further submits that the house, from where the toddy beer has been recovered, belongs to the joint



family.

After having heard learned Counsel for the parties and taking into consideration the fact that from perusal of the First Information Report, it appears that the toddy beer has been recovered from the house of the petitioner and in view of the Full Bench decision, delivered in Criminal Appeal (S.J.) No. 431 of 2019, I am not inclined to exercise my discretion for grant of privilege of anticipatory bail to the petitioner.

This application is, accordingly, dismissed.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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